

Notice of Allowability

Application No.

10/657,204

Applicant(s)

GLOECKNER ET AL.

Examiner

Terressa M. Boykin

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9-9-03.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 4/19/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Terressa M. Boykin
Terressa M. Boykin
Primary Examiner
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Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Allowable Subject Matter

The following is an Examiner's statement of reasons for the indication of allowable subject matter:

Applicant(s) claimed invention is directed to an adhesion promoter additive, comprising: at least one unsaturated, amorphous polyester comprising 1) an acid component comprising at least one α, β -unsaturated dicarboxylic acid compound, and 2) an alcohol component; wherein said alcohol component comprises at least 5% of a didiol mixture of the isomeric compounds

- a) 3,8-bis(hydroxymethyl)tricyclo[5.2.1.0^{2,6}]decane,
- b) 4,8-bis(hydroxy-methyl)tricyclo[5.2.1.0^{2,6}]decane,
and
- c) 5,8-bis-(hydroxymethyl)tricyclo[5.2.1.0^{2,6}]decane;

wherein each isomer is present in said didiol mixture in a proportion of from 20 to 40% by weight; and wherein a sum of said isomeric compounds a)-c) is from 90 to 100% by weight based on said didiol mixture.

The crux of the invention lies in the discovery that the particular adhesion promoter additive above exhibits enhancing properties of coating materials such as high corrosion protection, high hardness and improved gloss and solid content which maintaining a lower contraction in the case of crosslinked systems and which is also compatible with other coating materials, adhesives and sealants while avoiding the problems commonly associated therewith such as brittleness. Such has neither been anticipated by nor made obvious from the prior art. The art of record demonstrates other adhesive additives known in the art produced in the art which do not, however, comprise the particular components above and neither contain the advantages as mentioned. For example **USP 4122074** discloses polyester aminoalkylalkoxysilanes which have utility as adhesion promoters between inorganic siliceous materials and organic resins but do not contain or disclose the particular additive as described by applicants claimed invention. **USP 4093768** benzotriazole as in adhesion promoter for unsaturated polyesters but also does not disclose the particular additive as described by applicants' claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Correspondence

Please note that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. Applicants may be referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Terressa Boykin whose telephone number is 571 272-1069. The examiner can normally be reached on Monday through Friday from 6:30am to 3:00pm.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. The general information number for listings of personnel is (571-272-1700).

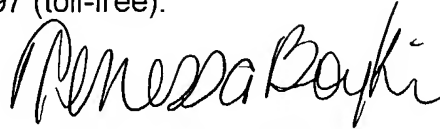
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

tmb

A handwritten signature in black ink, appearing to read "Terressa Boykin". The signature is fluid and cursive, with the first name "Terressa" being more prominent than the last name "Boykin".

Examiner Terressa Boykin
Primary Examiner
Art Unit 1711